

#26
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

Art Unit: 1614

BETH ANNE PIPER

Examiner: R. Cook

APPLICATION NO: 09/460,920

FILED: DECEMBER 14, 1999

FOR: METHOD FOR TREATING DIABETES

Assistant Commissioner for Patents
Washington, D.C. 20231

SUPPLEMENTARY RESPONSE

Sir:

This paper supplements the Amendment filed on November 14, 2002 in response to the Official Action mailed July 16, 2002.

REMARKS

In the Amendment filed November 14, 2002 in the subject application, mention is made of an unsigned declaration of prior invention of the inventor to overcome U.S. Patent No. 6,303,146 under 37 C.F.R. §1.131. A copy of the unsigned declaration and exhibits were hand-carried to the Examiner on January 27, 2003.

Enclosed herewith is an executed copy of the above declaration without exhibits since the Examiner already has a set of same.

The enclosed declaration establishes reduction to practice of the invention in this application at a date prior to July 15, 1998. In the course of prosecution of the subject application, the Examiner cited

(1) Erie et al., Acta Diabetol (1999) 36:61-65; and